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ONE HUNDRED FIFTEENTH CONGRESS  
**Congress of the United States**  
**House of Representatives**  
COMMITTEE ON ENERGY AND COMMERCE  
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July 13, 2018

Ms. Shellie Pfohl  
President and CEO  
U.S. Center for SafeSport  
1385 S. Colorado Boulevard, Suite A-706  
Denver, CO 80222

Dear Ms. Pfohl:

Thank you for appearing before the Subcommittee on Oversight and Investigations on May 23, 2018, to testify at the hearing entitled "Examining the Olympic Community's Ability to Protect Athletes from Sexual Abuse."

Pursuant to the Rules of the Committee on Energy and Commerce, the hearing record remains open for ten business days to permit Members to submit additional questions for the record, which are attached. To facilitate the printing of the hearing record, please respond to these questions with a transmittal letter by the close of business on Friday, July 27, 2018. Your responses should be mailed to Ali Fulling, Legislative Clerk, Committee on Energy and Commerce, 2125 Rayburn House Office Building, Washington, DC 20515 and e-mailed in Word format to [Ali.Fulling@mail.house.gov](mailto:Ali.Fulling@mail.house.gov).

Thank you again for your time and effort preparing and delivering testimony before the Subcommittee.

Sincerely,



Gregg Harper  
Chairman  
Subcommittee on Oversight and Investigations

cc: The Honorable Diana DeGette, Ranking Member, Subcommittee on Oversight and Investigations

Attachment

## Attachment—Additional Questions for the Record

### The Honorable Gregg Harper

1. During the May 23 hearing, you testified that the U.S. Center for SafeSport (the Center) had received reports, complaints, and allegations regarding sexual abuse that related to 38 of the National Governing Bodies (NGBs). Can you please provide a list of these 38 NGBs that have been associated with reports, complaints, and allegations received by the Center regarding sexual abuse?
  - a. Have you received reports, complaints, or allegations regarding sexual assault from additional NGBs since the hearing? If so, from which NGBs?
2. During the May 23 hearing, you testified that the Center had received over 800 reports regarding sexual abuse since the Center opened in March 2017. Please provide an update on the total number of reports regarding sexual abuse that the Center has received since it opened in March 2017 and the date associated with this updated count.
  - a. How many reports have been resolved since the Center opened in March 2017?
  - b. On average, how long does it take the Center to resolve a case relating to sexual abuse?
  - c. Of the NGBs that are associated with these reports of sexual abuse, how many NGBs have over 100 complaints associated with them, over 50 complaints associated with them, and over 25 complaints associated with them?
3. From the documents we received during our investigation, the Committee learned that the Center requested the historical codes of conduct from each NGB on March 14, 2018 to create a comprehensive database of policies.
  - a. Based on SafeSport's Code of Conduct, there is no statute of limitations that prevents the Center from investigating, assessing, or considering relevant conduct under its provisions, correct?
  - b. Was the March 14, 2018 request the first time that the Center requested that the NGBs provide the Center with all of their historical codes of conduct?
  - c. The Center indicated that it was requesting the historical codes of conduct because, if a report is made regarding conduct that occurred before the effective date of the SafeSport's Code, the Office will apply the relevant NGB's substantive rules and regulations and/or other standards applicable at the time of the alleged conduct. Do you now have a database of historical policies from each NGB?

- i. What did the Center do when investigating historical cases during the first year of its operation?
  - d. As you have worked through the first year, how else have you changed or adapted your operating procedures to more efficiently handle your caseload?
4. Does the Center have a standard process for investigating reports regarding sexual abuse? If so, please describe this process, including the parties that generally are involved in the process, their roles, and how the parties are updated on the status of the investigation.
- a. After the Center launches an investigation, what information do all parties have access to during and after the investigation? If access to information is different for the various parties involved in the investigation, please describe what information each party can access at the different stages of the investigation.
  - b. During an investigation, how does the Center typically work with the USOC or NGBs?
5. What information does a party have access to during and after a SafeSport investigation?

**The Honorable Michael C. Burgess**

- 1. Larry Nassar was licensed in the state of Michigan, but treated gymnasts at the Karolyi Ranch in Texas without a Texas medical license. He also treated gymnasts during competitions abroad, including at the World Championships and Olympics.
  - a. How does the United States Olympic Committee and its National Governing Bodies ensure that its physicians are compliant with licensing obligations?
  - b. Is parental consent required for amateur athletes to be treated by a team doctor? Are parents provided with information, such as status of medical license, for these providers?
- 2. Many athletes begin training when they are very young and often do so outside of parental supervision.
  - a. Do athletes and/or parents receive training and education when a child joins a sport organization governed by a United States Olympic Committee National Governing Body?
  - b. Are athletes and parents made aware of SafeSport and how to get in contact?
- 3. According to audit reports issued in October 2017, 43 organizations under the United State Olympic Committee had deficiencies in their compliance of safe sport policies and procedures. Congress recently passed a \$2.5 million grant program to help fund the U.S.

Center for SafeSport, which I understand currently has 9 employees and will have approximately 26 by July 2018.

- a. How do you plan to remedy these deficiencies and continue to evaluate these organizations for future compliance?

**The Honorable Chris Collins**

1. Non-disclosure agreements are widely used in business resolutions, and serve as useful tools in not only creating confidential relationships between parties, but also protecting certain confidential and proprietary information. Whether it be unilateral or multilateral, they vary in nature – protecting trade secrets and intellectual property, formalizing a relationship between collaborating organizations, or serving as an added layer when resolving disputes between individuals and entities. Within the Olympic community, various news sources revealed some sexual assault victims are bound by NDAs as part of their settlement agreement. One of the most widely publicized instance is the case of Olympic gold medalist, McKayla Maroney, who signed an NDA with USA Gymnastics in late 2016. However, USA Gymnastics chose not to seek action against Maroney when she breached her NDA earlier this year by speaking at the sentencing hearing of serial child molester, Larry Nassar. I would like to better understand the driving factors in NDA utilization within the Olympic community, as it may be indicative of protecting the brand and management more so than treating the problem at its source – stopping sexual abuse.
  - a. How many NDAs has your organization entered into since 2005 and when was the most recent NDA or settlement entered into? Of those NDAs, how many were minors at the time of the dispute?
  - b. As to the nature of these NDAs or settlements, do the agreements prohibit the victim from speaking about the details of the settlement – such as the amount of any financial award – or do they prohibit the victim from speaking about the details of the case – such as the fact that they were abused, where and when the abuse occurred, who their abuser was, etc.? Are any of these NDAs entered into in lieu of the responding party being given appropriate sanctions, such as being suspended or banned from the NGB?
  - c. Would Safe Sport consider using an NDA in the case of sexual abuse where the NDA would require the victim to not discuss the assault?

**The Honorable Diana DeGette**

1. How do criminal convictions impact SafeSport's investigation of a misconduct allegation?
  - a. Are there any differences in how cases involving felony and misdemeanor charges are handled?

- b. What would happen in a situation in which a prosecutor permitted an individual charged with felony level offense to plea down to a misdemeanor?
2. What happens to a misconduct allegation if there is civil litigation involved where the defendant has been found at fault and damages may have been assigned?

**The Honorable Jan Schakowsky**

1. For each of your current board members, please list what prior associations they have with the U.S. Olympic Committee or individual National Governing Bodies.